

BEFORE THE STATE OF WASHINGTON
ENERGY FACILITY SITE EVALUATION COUNCIL

In the Matter of Application)	
No. 96-1:)	SETTLEMENT AGREEMENT BETWEEN
)	WASHINGTON UTILITIES AND
OLYMPIC PIPE LINE COMPANY)	TRANSPORTATION COMMISSION AND
)	OLYMPIC PIPE LINE COMPANY
CROSS CASCADE PIPELINE)	
PROJECT)	
_____)	

Olympic Pipe Line Company ("the Applicant") has filed an application with the Washington State Energy Facility Site Evaluation Council ("EFSEC") requesting a site certification agreement to allow construction and operation of the proposed Cross Cascade Pipeline Project ("the Project"). The Washington Utilities and Transportation Commission ("WUTC") is a party to this proceeding and is an agency of the State of Washington with jurisdiction under Chapters 81.88 and 81.28 RCW to regulate as common carriers all corporations whose principle purpose is the construction, maintenance, and operation of pipelines used to convey or transport petroleum products in this state. In addition, the WUTC is the state agency responsible for inspection and compliance of intrastate hazardous liquid pipelines, including petroleum pipelines, with federal regulations contained in 49 C.F.R. Part 195.

In its Petition for Intervention in this proceeding, the WUTC expressed an interest in ensuring that the Project is designed, constructed, operated, and maintained in compliance with all applicable federal rules and regulations. In resolution of the WUTC's concerns, the Applicant

and WUTC hereby stipulate as follows:

1. During the design, construction, operation, and maintenance of the Project, the Applicant will comply with WUTC rules and regulations governing intrastate hazardous liquids pipelines, and with federal pipeline safety rules and regulations, including those rules set forth in 49 C.F.R. Parts 195 and 199.

2. The Applicant shall prepare comprehensive written specifications and standards for the Project consistent with regulations set forth in 49 C.F.R. Part 195. The Applicant shall file such comprehensive written specifications and standards for the project with WUTC and EFSEC at least 90 days prior to the start of construction or reconstruction of the Project.

3. The WUTC shall notify the Applicant and EFSEC within 45 days of any noncompliance of the comprehensive written specifications and standards with the regulations set forth in 49 C.F.R. Part 195.

4. The WUTC shall monitor the design, construction, operation, and maintenance of the Project. Should the WUTC become aware of any noncompliance with state and federal regulations during the design, construction, operation and maintenance of the Project, the WUTC shall notify the Applicant and EFSEC within 45 days, and the Applicant may be subject to appropriate enforcement action by the WUTC as authorized by RCW 81.04.380, RCW 81.04.385, and RCW 81.04.405.

5. The Applicant shall report to the WUTC any accident or safety related condition at the same time the accident or condition is filed or reported to the U.S. Department of Transportation, Office of Pipeline Safety.

6. The Applicant shall allow the WUTC and any person employed by the WUTC, at any

and all times, to inspect the accounts, books, papers and documents of the Applicant as authorized by RCW 81.04.070 and 49 U.S.C. • 60105.

The Applicant and WUTC further agree and jointly request that the terms of this stipulation be incorporated into the site certification amendment issued by EFSEC in this proceeding.

Respectfully submitted this _____ day of March, 1997.

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